



METROPOLITAN
TRANSPORTATION
COMMISSION

Joseph D. Barr, Metropolitan
390 Main Street
Oakland, CA 94612-0710
TEL: 415.557.5779
FAX: 415.557.6769
E-MAIL: info@mtc.org
WEB: www.mtc.org

Memorandum

TO: MTC Commission and Bay Area Toll Authority

DATE: August 10, 2011

FR: Deputy Executive Director, Operations

RE: Regional Government Co-location Facility Recommendation - 390 Main Street, San Francisco

The meetings on August 17, 2011 have been called as a result of an August 4, 2011 letter from the City of Oakland to Steve Heminger, Ezra Rapport and John Jenson. In that letter, the City of Oakland alleges certain violations of the Brown Act by the Metropolitan Transportation Commission (MTC) and the Bay Area Toll Authority (BATA) at the July 27 meetings when, at the specific request of the Association of Bay Area Governments (ABAG), the ABAG Administrative Committee, Ezra Rapport and Jack Broadbent were invited to attend a portion of the July 27, 2011 Closed Session of the joint MTC BATA meeting. Although we are confident that no Brown Act violations occurred and that all actions taken by the MTC and BATA on July 27, 2011, both in their joint and separate meetings, were valid and resulted in clear authorization to proceed with the transaction for 390 Main Street, San Francisco, in order to avoid any conflict or debate over the issue with the City of Oakland and incurring possible additional taxpayer expense, we are holding the meetings agendized for August 17 to clearly ratify and reauthorize the actions approved on July 27.

As was presented in the July 27, 2011 agenda package, attached for your consideration is a joint staff report recommending 390 Main Street, San Francisco as the location of a new regional headquarters building to house the MTC, the BATA, the Bay Area Air Quality Management District (Air District), and ABAG. The attached report is the culmination of a two-year process to evaluate options to co-locate regional offices and pursue our joint planning missions.

As Steve Heminger wrote in his Memorandum dated July 20, 2011, he fully supports this recommendation as it positions MTC and BATA at the right time to address our long-term facility needs with a financially feasible option given the current real estate market. The process leading up to this recommendation included an exhaustive review of the real estate options in both the San Francisco and Oakland markets and concluded that 390 Main Street was the only viable option that meets all of the major parameters established by the three agencies.

The proposed terms and conditions for the acquisition and of each agency's respective interest in 390 Main Street were discussed in Closed Session for consideration by ABAG on July 21, 2011. The Air District approved the recommendation at their July 18th governing board meeting by a

MTC Commission/Bay Area Toll Authority
Page 2 of 2
August 10, 2011

vote of 13-2. Staff will also present, in Closed Session, the proposed joint facility financing terms for consideration.

As Steve Heminger noted in his July 20, 2011 Memorandum, he notified both Mayor Quan and Mayor Lee of this recommendation under separate cover.

Andrew B. Fremier

Attachment

J:\COMMITTEE\Commission\2011\08 - August 2011\Joint MTC-BATA Meeting\L-Cover to Joint MTC-BATA - Status Report - 390 Main Street
8-10-11.doc